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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,108

03/08/2005

Frederic Jardin-Lemagnen

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04/04/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN, TUNG X

ART UNIT

PAPER NUMBER

2829

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/527,108

Applicant(s)

JARDIN-LEMAGNEN ET AL.

Examiner

Tung X. Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 9 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>306-02/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group I with claims 1-8 in the reply filed on 2/24/06 is acknowledged.
2. Claims 9-10 were withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group II, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 2/24/06.

Specification

3. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. (u.s.p 5,828,226); in view of Budnaitis et al. (u.s.p 5,966,022).

As to claim 1, Higgins et al. disclose in Figs. 1, a test device for testing an integrated circuit called test circuit comprising a plurality of contacts (pad of 10 of figure 1) to be tested with the aid of a test printed circuit (19 of figure 1) called main circuit; the device comprising: an insulating membrane (17 of figure 1), it appears that an insulating membrane made of a soft material, wherein the insulating membrane having two

opposite surfaces covered by two conductive layers (see the top and bottom of 49 of figure 1) interconnected by connection means (49 of figure 1) and intended to come into contact with the test circuit (10) and the main circuit (19) respectively (fig. 1), under the influence of a pressing force exerted during the test between the test circuit and the main circuit deforming the test device (fig. 1). Higgins et al. Do not disclose the protrusions being arranged on at least one of the layers. However, Budnaitis et al. disclose in Figs. 2, the protrusions (18 of figure 2) arranged on the contact sheet (9 of figure 2) for easily making good contact between the device under test (1) and the tester (11). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Higgins et al., and provide the protrusions arranged on the conductive layer, as taught by Budnaitis et al. for easily making good contact between the device under test (1) and the tester (11).

As to claim 2, Higgins et al. disclose in Figs. 1, the connection means (49 of figure 1) are provided by metallized holes passing through the membrane and the two layers.

As to claims 3-5, Higgins et al. in view of Budnaitis et al. disclose all the limitations except for selection of the thickness of the device, the membrane, and the protrusion with the certain range. However, the thickness of the device and the membrane is well known in the existing technology. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to choose appropriate range of the thickness of device and the memberane for the benefit of adjusting the insulating value. It has been held that where the general conditions of a

claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

As to claim 6, Budnaitis et al. disclose in Figs. 2, the protrusions (18) have a diameter relative to the surface of the contacts (3) of the test circuit (1).

As to claim 8, Budnaitis et al. disclose in Figs. 2, the protrusions (18) are arranged in pairs on each of the two layers (9)

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. (u.s.p 5,828,226); in view of Budnaitis et al. (u.s.p 5,966,022); and further in view of Swarbrick et al. (u.s.p 5,500,604).

As to claim 7, Higgins et al. in view of Budnaitis et al. disclose all of the limitations except for the membrane made of Kapton. However, Swarbrick et al. disclose in Figs. 2 the membrane made of Kapton (30 of figure 3) for flexible and making good contact with the device under test. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Higgins et al. in view of Budnaitis et al, and provide membrane made of Kapton, as taught by Swarbrick et al. for flexible and making good contact with the device under test.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X. Nguyen whose telephone number is (571) 272-1967. The examiner can normally be reached on 8:30am-5:00pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN
3/31/06

Jel - Hft
JERMELE HOLLINGTON
PRIMARY EXAMINER
A02829
04/03/06